

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

AKAL BROADCASTING CORP, et al.,

Plaintiffs,

v.

SUKHDEV SINGH DHILLON, et al.,

Defendants.

Case No. 1:24-cv-00029-SAB

ORDER DIRECTING CLERK OF COURT  
TO ASSIGN DISTRICT JUDGE

ORDER VACATING JANUARY 24, 2024  
HEARING BEFORE MAGISTRATE JUDGE  
RE: EX PARTE TEMPORARY  
RESTRAINING ORDER AND ORDER TO  
SHOW CAUSE WHY PRELIMINARY  
INJUNCTION SHOULD NOT ISSUE

(ECF No. 5)

On January 19, 2024, Plaintiffs Akal Broadcasting Corp, XL Media (CA), Inc., Akal Media, Inc., Charanjit S. Batth, Nacchatar S. Dhaliwal, Balraj S. Brar, and Nazar S. Kooner (collectively, "Plaintiffs") filed an *ex parte* application for temporary restraining order ("TRO") prohibiting Defendants Sukhdev Singh Dhillon, Mohan S. Cheema, Tarnvir S. Bisla, Jagdeep S. Dhaliwal, Baaz Broadcasting Corp., Radio Punjab, Inc., Amar Broadcasting Inc., TEG Broadcasting Inc., and Radio Spice USA Inc. (collectively, "Defendants") from (1) using the "Radio Punjab" trade name that Plaintiffs aver belongs to Plaintiffs in the Fresno, Bakersfield, and Seattle radio markets and (2) operating competing radio stations in said markets during the period of the TRO. (ECF No. 5.) Plaintiffs also request that the Court issue an order to show

cause why a preliminary injunction should not issue pending trial.

No Defendant has answered Plaintiffs' complaint filed on January 5, 2024, and no party has consented to magistrate judge jurisdiction. Upon designation by a district judge, a magistrate judge may hear and determine any pretrial matter pending before the court, except, inter alia, a motion for injunctive relief. 28 U.S.C. § 636(b)(1)(A); L.R. 302. Accordingly, the Court shall vacate the instant motion for injunctive relief currently set to be heard before the undersigned on January 24, 2024, and order the Clerk of Court to assign a district judge. Should all parties consent to magistrate judge jurisdiction, the undersigned will reset the matter for hearing.

The Court informs the parties that due to the recent appointment of Judge de Alba to the Ninth Circuit, there is only one District Judge currently assigned to the United States District Court for the Eastern District of California in Fresno.<sup>1</sup> The parties are reminded that Magistrate Judges are available to conduct case dispositive proceedings, including motions to dismiss, motions for summary judgment, a jury or non-jury trial, and entry of a final judgment. However, exercise of this jurisdiction by a Magistrate Judge is permitted only if all parties voluntarily consent. To consent or decline to Magistrate Judge jurisdiction, a party may sign and file the consent form available on the Court's website, at: <http://www.caed.uscourts.gov/caednew/index.cfm/forms/civil/>. Parties may consent, decline, or withhold consent without any adverse consequences, and the assigned Magistrate Judge will not be informed of the individual party's holding or withholding of consent.

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<sup>1</sup> The Court emphasizes that aside from the recent appointment leaving this case unassigned to an active District Judge, the District Judges in the Eastern District are among the busiest in the nation. (See ECF No. 40 entered in Case No. 1:20-cv-01069-ADA-SAB ("The parties are further advised that due to the judicial resource emergency and COVID pandemic, there are more than 130 motions currently under submission in Judge de Alba's recently re-assigned caseload. The Court understands the impact that such a backlog has on the parties and although the Court will continue working diligently to resolve all pending motions, it may still be months before the parties' pending motion is resolved. As such, in light of having the heaviest district court caseload in the nation, limited Court resources, and the need to prioritize criminal and older civil matters over more recently filed actions, this Court strongly encourages the parties to consent to conduct all further proceedings before a U.S. Magistrate Judge.").)

Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of Court assign a District Judge to this case; and
2. The hearing on Plaintiffs' *ex parte* application for temporary restraining order and order to show cause why preliminary injunction should not issue pending trial set for January 24, 2024, at 10:00 a.m. in Courtroom 9 (ECF No. 5), is VACATED.

IT IS SO ORDERED.

Dated: January 22, 2024

  
UNITED STATES MAGISTRATE JUDGE